United Nations CERD/C/DNK/Q/20-21

International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination
Eighty-sixth session
27 April–15 May 2015
Item 4 of the provisional agenda
Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined twentieth and twenty-first periodic reports of Denmark (CERD/C/DNK/20-21)

Note by the Country Rapporteur

The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

I. The Convention in domestic law, institutional and policy framework for its implementation (arts. 2 and 4)

(a) Details of the practical application of the Convention by the Danish courts and additional information on the expert committee tasked with considering the possible incorporation of a number of treaties, including the Convention, into Danish law (CERD/C/DNK/CO/18-19, para. 8; CERD/C/DNK/20-21, paras. 24–25).

(b) Detailed information on the enforcement of sections 266 b and 81, No. 6, of the Criminal Code, as well as of the Act on Prohibition of Discrimination based on Race, in the light of the guidelines issued by the Director of Public Prosecutions on handling hate crimes; further measures taken to apply domestic legislation on racial discrimination effectively and updated data on racist criminal cases (CERD/C/DNK/CO/18-19, para. 9; CERD/C/DNK/20-21, paras. 37–53, 55–56 and 72).

(c) The lack of an explicit prohibition against establishing organizations and participating in activities that promote racial discrimination.

(d) Additional human and financial resources allocated to the Danish Institute for Human Rights and the Board of Equal Treatment to deal with racial discrimination; information on the review of the Act on the Board of Equal Treatment and other measures

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to increase the Board's efficiency (CERD/C/DNK/CO/18-19, para. 18; CERD/C/DNK/20-21, paras. 191–194).

2. **Discrimination against ethnic minorities (arts. 2–7)**

(a) Updated information on the programme designed to examine the effects of different teaching modules that aim to develop or build on the mother tongue of minority students (CERD/C/DNK/CO/18-19, para. 16; CERD/C/DNK/20-21, paras. 166–175).

(b) Equal access to employment and housing; the impact on minority groups of measures to combat segregation in housing; detailed information on cases of reported involuntary admission to psychiatric institutions of persons belonging to ethnic minorities (CERD/C/DNK/CO/18-19, para. 15; CERD/C/DNK/20-21, paras. 139–147).

(c) Racially motivated speech and incidents targeting members of the Muslim, Jewish and Roma communities, including statements made by politicians and publications in the media.

(d) Additional efforts to recruit persons belonging to ethnic minority groups to the police; information on the findings regarding the higher failure rate of ethnic minorities in the police recruitment tests (CERD/C/DNK/CO/18-19, para. 11; CERD/C/DNK/20-21, paras. 200–203).

(e) The lack of statistics and non-recognition of the Roma community as a national minority (CERD/C/DNK/CO/18-19, para. 10; CERD/C/DNK/20-21, paras. 31–35).

3. **Discrimination against non-citizens, including migrants, refugees and asylum seekers (arts. 2 and 4–7)**

(a) Enforcement of the amendment to the Aliens' Act of January 2013 allowing foreign spouses and children who are victims of domestic violence to retain their residence permits regardless of cessation of cohabitation (CERD/C/DNK/CO/18-19, para. 13; CERD/C/DNK/20-21, paras. 83–85).

(b) Updated information regarding the integration policy and its impact on the equal access of non-citizens to health care, education, housing, employment and social services (CERD/C/DNK/CO/18-19, para. 13; CERD/C/DNK/20-21, paras. 10–12, 29–30, 97–98, 107 and 127).

(c) Further measures to prevent racial profiling and xenophobia.

4. **Situation of indigenous peoples (arts. 2 and 5)**

Additional plans to consult and cooperate with the Thule Tribe of Greenland about their self-identification as indigenous or tribal peoples (CERD/C/DNK/CO/18-19, para. 17; CERD/C/DNK/20-21, Annex I, para. 3).

5. **Access to justice (arts. 6 and 7)**

Efforts made or planned to provide compensation to victims of hate crimes, including providing relevant training to the police, raising public awareness of existing remedies and allowing non-governmental organizations to represent victims in court (CERD/C/DNK/CO/18-19, para. 18; CERD/C/DNK/20-21, paras. 188–197).